

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
(HONORABLE KATHERINE POLK FAILLA)

UNITED STATES OF AMERICA,

Plaintiff,

v.

NATISHA APONTE, et al.,

Defendants.

Case No.: 15 CR 00019 (KPF)

**DEFENDANT'S NOTICE
OF MOTION**

PLEASE TAKE NOTICE, that upon the annexed Affirmation of JOHN RAPAWY, ESQ., duly affirmed June 12, 2015, the Exhibits annexed hereto and the prior proceedings herein, the undersigned will move the Hon. Judge Katherine Polk Failla, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, on the 1st day of September 2015 at 10:00AM of that day or as soon thereafter as counsel can be heard for an Order granting the following:

- (I) Providing a severance and separate trial from co-defendants Roman Kitroser
Jessy Castillo and Ronel Pierre;
- (II) Suppressing evidence obtained during the warrantless search of Natisha
Aponte in Brooklyn, New York on December 11, 2014 along with the fruits
thereof;
- (III) Suppressing any evidence obtained during the warrantless search of Natisha
Aponte at JFK Airport on July 15, 2012 along with the fruits thereof;
- (IV) Granting permission to incorporate and adopt motions filed by all co-
defendants; and

(V) For such other and further relief as this Court deems just and proper.

Dated: July 9, 2015
New York, New York

Respectfully Submitted,

/j.rapawy/
John Rapawy, Esq.
90 Broad Street, 15th Floor
New York, New York 10004
Phone (212) 668-8400

VIA ECF: UNITED STATES DISTRICT COURT, SDNY
Clerk of the Court
500 Pearl Street
New York, New York 10007

UNITED STATES ATTORNEY'S OFFICE, SDNY
Attn: Megan Lynn Gaffney, Esq., AUSA
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New York City, New York 10007

ALL COUNSEL